

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SUPERIOR COURT
CIVIL DOCKET SHEET

Case ID: KC-2010-0329

RABIAA TABORA V LUCILLE LANNA

Case Type: CIVIL RIGHTS/JOB DISCRIMIN
Status Date: 03-02-2010Filing Date: 03-02-2010
Case Status: UNASSIGNED

Attorney: JOSEPH DAIGLE

Plaintiff: RABIAA TABORA
ID: @11243840Defendant: LUCILLE LANNA
ID: @11243841Defendant: LUCILLE LANNA, M.D LTD.
ID: @11243843Defendant: ELIZABETH SABATINO
ID: @11243844Defendant: MALISSA DAPONTE
ID: @11243845Defendant: LEA CARVALHO
ID: @11243846

Scheduled Events		Location	Judge
Date	Event		
Prior Events		Location	Judge
Date	Event		
Case Jacket		Comments/Text	
Checked Out	Returned	Person	

Docket Entry Information
Text

Date	Description
03-02-2010	COMPLAINT FILED
03-02-2010	INITIAL FILING FEE
03-02-2010	Payment Applied
03-11-2010	SUMMONS, PROOF OF SERVICE FILED
03-11-2010	SUMMONS, PROOF OF SERVICE FILED
03-11-2010	SUMMONS, PROOF OF SERVICE FILED
03-23-2010	NOTICE OF REMOVAL

A Payment of -\$160.00 was made on receipt SCK70151.
 Affiliated: LANNA, LUCILLE
 Affiliated: LUCILLE LANNA, M.D LTD.
 Affiliated: CARVALHO, LEA
 TO UNITED STATES DISTRICT COURT FOR THE DISTRICT
 OF RHODE ISLAND.
 Affiliated: LANNA, LUCILLE

TRUE COPY ATTEST

EDWARD MORRONE, CLERK
KENT COUNTY SUPERIOR COURT

STATE OF RHODE ISLAND
KENT, SC.

SUPERIOR COURT

RABIAA TABORA,
Plaintiff,

v.

LUCILLE LANNA, M.D., LTD,
LUCILLE LANNA, ELIZABETH
SABATINO, MALISSA DAPONTE,
LEA CARVALHO,
Defendants.

C.A. NO. KC10-329

COMPLAINT AND JURY DEMAND

Plaintiff Rabiaa Tabora complains as follows:

1. Plaintiff Rabiaa Tabora ("Ms. Tabora" or "Plaintiff") is an individual residing in East Greenwich, County of Kent, Rhode Island.

2. Defendant Lucille Lanna, M.D., Ltd. (the "medical practice") is a Rhode Island corporation with a usual place of business at 390 Tollgate Road, Suite 103, Warwick, County of Kent, Rhode Island and operates as a medical practice.

3. Defendant Dr. Lucille Lanna ("Dr. Lanna") is the owner of a majority interest in the medical practice and the person primarily in charge of employment decisions. The company employed at least five people during all times relevant to this matter.

DAVID E. TAYLOR, CLERK
10 MAR -2 AM 9 11
KENT SUPERIOR COURT

4. Defendant Elizabeth Sabatino ("Ms. Sabatino") is the office manager for the practice and was Ms. Tabora's immediate supervisor.

5. Defendant Malissa DaPonte ("Ms. DaPonte") is employed by the company as a medical secretary.

6. Defendant Lea Carvalho ("Ms. Carvalho") is employed as a medical assistant in the practice.

FACTS

7. Ms. Tabora was employed by Lucille Lanna, M.D., Ltd. from January 7, 2009 to June 18, 2009 as medical assistant and secretary. She is a Certified Medical Assistant and received her medical education at Rhode Island College.

8. Ms. Tabora was born in the Kingdom of Morocco and is a permanent resident of the United States. Ms. Tabora is a Moslem.

9. During her employment, the comments Ms. Tabora received from Dr. Lanna regarding her job performance were generally excellent.

10. Shortly after starting work at the practice, Ms. Tabora became the victim of racial bullying, primarily at the hands of Ms. DaPonte. Ms. DaPonte's behavior toward Ms. Tabora included suddenly lunging at her in an attempt to physically intimidate her. Although Ms. Sabatino technically held a supervisory position over all of the staff, including Ms.

DaPonte, it was clear that she would not stand up to Ms. DaPonte, who, on more than one occasion declared that she was "the boss."

11. Ms. Tabora was also insulted on an almost daily basis by Ms. DaPonte. Ms. Carvalho and Ms. Sabatino would also participate in this behavior or laugh along with Ms. DaPonte. Their comments included calling Ms. Tabora "stupid", "stinky" and "ugly." They mimicked her accent and frequently told her that she should return to Morocco or made fun of the fact that she was an immigrant.

12. The three women would interrogate Ms. Tabora about her sex life and her sexual relations with her ex-husband in an attempt to embarrass her.

13. By no later than March 30, 2009, Dr. Lanna became aware of the way her staff treated Ms. Tabora when she learned of it from one of Ms. Tabora's co-workers. Upon learning of the ongoing harassment, Dr. Lanna told Ms. Tabora that she was aware she was being abused and that she would address it with her staff. However, Dr. Lanna never took any action to protect Ms. Tabora from further mistreatment and never disciplined any of the staff.

14. The environment in the office then took a turn for the worse. Dr. Lanna became increasingly hostile to Ms. Tabora and informed her that she did not want her to answer the

phones because her accent was "horrible." Instead, she gave Ms. Tabora other work assignments. However, when Ms. Tabora attempted to do those assignments, Ms. DaPonte interfered. As a result, Ms. Tabora ended up doing the least desirable tasks in the office, including cleaning the doctor's office, running errands and walking the doctor's dog.

15. The terms of Ms. Tabora's employment were much different than the other employees. Although she was better trained in the medical field than her co-workers, she earned significantly less money. She was forced to punch out for lunch, while the other employees did not.

16. When Ms. DaPonte complained about not getting enough hours to work (because of "some fucking immigrant"), Ms. Sabatino cut Ms. Tabora's hours to increase DaPonte's. Ms. Sabatino would also take Ms. Tabora's time card and scratch off some of the time she had worked without justification.

17. When Ms. Tabora complained to Dr. Lanna about losing hours in this way, she replied, "I am a busy woman, can't you see? I don't have time for this crap."

18. Dr. Lanna also made discriminatory statements to Plaintiff. She informed Ms. Tabora on two different occasions that she had never hired an immigrant before and that she would not do so again in the future.

19. Ms. Tabora was particularly vulnerable to the treatment she received from Dr. Lanna and her co-workers due to the fact that, at Dr. Lanna's suggestion, Ms. Tabora made Dr. Lanna her primary care physician. Dr. Lanna started treating Ms. Tabora shortly after she began working at the practice.

20. Shockingly, Dr. Lanna apparently made no attempt to keep the details of Ms. Tabora's medical conditions and treatment private from her tormentors. Ms. DaPonte, Ms. Sabatino and Ms. Carvalho all gained access to Ms. Tabora's medical information and used that information to demean her.

21. Ms. Tabora felt humiliated by the unnecessary disclosure of her personal medical information to the staff. She became increasingly depressed and was extremely uncomfortable going to work.

22. On June 18, 2009, Dr. Lanna terminated Ms. Tabora's employment, ostensibly because Ms. Tabora had not been able to learn the other positions in the office in order to cover for other staff members. (Dr. Lanna later claimed that she terminated Ms. Tabora to protect her from being involved in a police investigation of other staff members' criminal acts.)

23. As a result of Defendants' discriminatory acts, Ms. Tabora was forced to endure an abusive work environment, changes in the terms of her employment, and was terminated from

her job. In addition, she experienced extreme emotional distress.

FIRST CAUSE OF ACTION
(Rhode Island Fair Employment Practices Act,
R.I.G.L. §28-5-1 et seq.)

24. Plaintiff repeats the allegations contained in Paragraphs 1 through 23 of this Complaint.

25. Plaintiff is a member of a protected class and was discriminated against with respect to the terms, conditions and privileges of employment because of her membership in that protected class.

26. As a result of Defendants' actions, Plaintiff has been damaged.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

- a. Awarding Plaintiff compensatory damages for lost wages and mental anguish;
- b. Awarding Plaintiff punitive damages; and
- c. Awarding Plaintiff reasonable attorneys' fees, costs, and such other and further relief as this Court deems necessary and proper.

SECOND CAUSE OF ACTION
(42 U.S.C. §1981 and 42 U.S.C. §2000e-2)

27. Plaintiff repeats the allegations contained in Paragraphs 1 through 23 of this Complaint.

28. Plaintiff is a member of a protected class and was discriminated against with respect to the terms, conditions and privileges of employment because of her membership in that protected class.

29. As a result of Defendants' actions, Plaintiff has been damaged.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

a. Awarding Plaintiff compensatory damages for lost wages and mental anguish;

b. Awarding Plaintiff punitive damages; and

c. Awarding Plaintiff reasonable attorneys' fees, costs, and such other and further relief as this Court deems necessary and proper.

THIRD CAUSE OF ACTION
(Hostile Work Environment -
42 U.S.C. §2000e-2 and 42 U.S.C. §1981)

30. Plaintiff repeats the allegations contained in Paragraphs 1 through 23 of this Complaint.

31. During the duration of Plaintiff's employment, Defendant employer allowed Plaintiff's supervisors and/or co-workers to intentionally subject Plaintiff to a hostile work environment. The work environment was both objectively and subjectively offensive, one that a reasonable person would find

hostile or abusive, and one that Plaintiff did perceive to be so.

32. Defendant's toleration of this mistreatment toward Plaintiff allowed a hostile work environment to develop in violation of The Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000 and 42 U.S.C. §1981

33. As a result of this hostile work environment, Plaintiff has been damaged.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

- a. Awarding Plaintiff compensatory damages for lost wages and mental anguish;
- b. Awarding Plaintiff punitive damages; and
- c. Awarding Plaintiff reasonable attorneys' fees, costs, and such other and further relief as this Court deems necessary and proper.

FOURTH CAUSE OF ACTION
(Retaliation - 42 U.S.C. § 2000e-3 and 42 U.S.C. §1981)

34. Plaintiff repeats the allegations contained in Paragraphs 1 through 23 of this Complaint.

35. During the duration of Plaintiff's employment, Defendant employer negligently and/or intentionally allowed a hostile work environment to exist affecting Plaintiff's job

performance and creating an intimidating, hostile, and offensive work environment.

36. Plaintiff complained about disparate treatment of her and the harassment directed toward her.

37. Defendant engaged in various acts of retaliation against the Plaintiff as a result of the Plaintiff's opposition to the disparate treatment.

38. Plaintiff was damaged as a result of Defendant's retaliation.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

- a. Awarding Plaintiff compensatory damages for lost wages and mental anguish;
- b. Awarding Plaintiff punitive damages; and
- c. Awarding Plaintiff reasonable attorneys' fees, costs, and such other and further relief as this Court deems necessary and proper.

FIFTH CAUSE OF ACTION
(Assault - Defendant DaPonte)

39. Plaintiff repeats the allegations set forth in paragraphs 1 through 23 of this Complaint.

40. Defendant DaPonte made physical acts of a threatening nature toward Plaintiff and made offers of corporal injury to her.

41. Defendant DaPonte's actions put Plaintiff in fear of imminent bodily harm.

42. Plaintiff's fear of Defendant DaPonte was reasonable.

43. Defendant DaPonte's actions caused Plaintiff to suffer fear and humiliation.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

- a. Awarding Plaintiff compensatory damages for mental anguish;
- b. Awarding Plaintiff punitive damages; and
- c. Awarding Plaintiff reasonable attorney's fees, costs, and such other and further relief as this Court deems necessary and proper.

SIXTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress -
Defendants DaPonte, Sabatino, Carvalho)

44. Plaintiff repeats the allegations set forth in paragraphs 1 through 23 of this Complaint.

45. Defendants' conduct toward Plaintiff was extreme and outrageous.

46. Defendants' conduct toward Plaintiff was intentional or reckless.

47. Defendants' actions proximately caused Plaintiff to suffer severe emotional distress.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment:

- a. Awarding Plaintiff compensatory damages for mental anguish;
- b. Awarding Plaintiff punitive damages; and
- c. Awarding Plaintiff reasonable attorneys' fees, costs, and such other and further relief as this Court deems necessary and proper.

SEVENTH CAUSE OF ACTION
(Tortious Interference with Contractual Relations -
Defendant Sabatino)

48. Plaintiff repeats the allegations set forth in paragraphs 1 through 23 of this Complaint.

49. Plaintiffs had a verbal contract with the medical practice whereby she would receive compensation for work performed on behalf of the company.

50. Defendant Sabatino was aware of Plaintiff's contract for compensation.

51. Defendant intentionally and improperly acted to interfere with Plaintiff's employment by preventing her from being paid for all of the work she performed.

WHEREFORE, Plaintiff respectfully requests that this Court enter Judgment awarding Plaintiff compensatory damages, punitive damages, attorney's fees, costs, and such other and further relief as this Court deems necessary and proper.

EIGHTH CAUSE OF ACTION
(Negligent Supervision - Lucille Lanna)

52. Plaintiff repeats the allegations set forth in paragraphs 1 through 23 of this Complaint.

53. Defendant Lanna had a duty of care in selecting and supervising a staff that was fit and competent to carry out the duties of their respective positions.

~~54. Defendant Lanna violated that duty of care by employing Defendant Sabatino and continuing to allow her to work with Plaintiff despite evidence of her abusive actions towards Plaintiff.~~

55. Plaintiff has been harmed as a result of Defendant Lanna's negligence.

WHEREFORE, Plaintiff prays that this Honorable Court enter Judgment in her favor, award compensatory damages, attorney's fees, costs and such other relief as the Court deems just.

NINTH CAUSE OF ACTION
(Respondeat Superior - Lucille Lanna, M.D., Ltd.)

56. Plaintiff repeats the allegations set forth in paragraphs 1 through 23 of this Complaint.

57. The intentional torts of Defendants DaPonte, Sabatino and Carvalho were committed in furtherance of their employer's business.

58. The intentional torts of Defendants DaPonte, Sabatino and Carvalho were committed with their employer's knowledge.

59. Defendant medical practice is liable the intentional torts of Defendants DaPonte, Sabatino and Carvalho.

WHEREFORE, Plaintiff prays that this Honorable Court enter Judgment in her favor, award compensatory damages, attorney's fees, costs and such other relief as the Court deems just.

JURY DEMAND


Plaintiff demands a trial by jury on all counts.

Dated: March 2, 2010

Plaintiff,

RABIAA TABORA,

By her attorney,


Joseph R. Daigle, #5428
LAW OFFICE OF JOSEPH R. DAIGLE
3288 Post Road
Warwick, RI 02886
(401)256-1417
Fax: (401)633-6217



**STATE OF RHODE ISLAND
SUPERIOR COURT
CIVIL CASE COVER SHEET**

CASE #

THIS FORM MUST BE FILED WITH EACH ORIGINAL DOCUMENT THAT COMMENCES A CIVIL PROCEEDING IN THE CLERK'S OFFICE. IF THE CASE IS A DISTRICT COURT APPEAL, THIS FORM MUST BE FILED WITH THE APPEAL IN THE DISTRICT COURT AND WILL BE TRANSFERRED WITH OTHER DOCUMENTS TO THE SUPERIOR COURT.

Rabiaa Tabora

PLAINTIFF

ID#

Lucille Lanna, M.D., LTD, Lucille
Lanna, M.D., Elizabeth Sabatino,
Malissa DaPonte, Lea Carvalho

DEFENDANT

ID#

NATURE OF PROCEEDING - CHECK ONE APPLICABLE CASE TYPE UNDER MAIN CATEGORIES LISTED BELOW.

CIVIL ACTION

- | | | |
|---|---|---|
| <input type="checkbox"/> AA AGENCY APPEAL | <input type="checkbox"/> EX EXCESSIVE TAX | <input type="checkbox"/> PR PARTITION |
| <input checked="" type="checkbox"/> AB ASSAULT & BATTERY | <input type="checkbox"/> FF FORFEITURE | <input type="checkbox"/> RC REINSTATE CHARTER |
| <input type="checkbox"/> AE ASBESTOS CASES | <input type="checkbox"/> EG FOREIGN JUDGMENT | <input type="checkbox"/> PT PROMISSORY NOTE |
| <input type="checkbox"/> AI ANTI-TRUST | <input type="checkbox"/> FS FRIENDLY SUIT | <input type="checkbox"/> RY REAL PROPERTY |
| <input type="checkbox"/> BA BOOK ACCOUNT | <input type="checkbox"/> ID PER INJURY/PROP DAM/VEH | <input type="checkbox"/> SA SEXUAL ABUSE |
| <input type="checkbox"/> BP BILL OF RIGHTS-POLICE OFF | <input type="checkbox"/> IJ INJUNCTIVE RELIEF | <input type="checkbox"/> SF SPECIFIC PERFORMANCE |
| <input checked="" type="checkbox"/> CH CIVIL RIGHTS/JOB DISCRIM | <input type="checkbox"/> IP INTERPLEADER | <input type="checkbox"/> SX SEXUAL HARASSMENT |
| <input type="checkbox"/> CI CRIMINAL INJURY COMP | <input type="checkbox"/> LC LEAD CASE | <input type="checkbox"/> TD CONTRACT DAMAGES |
| <input type="checkbox"/> CL COMMON LAW ASSIGNMENT | <input type="checkbox"/> LS LIBEL/SLANDER | <input type="checkbox"/> TE TRESSPASS & EJECTMENT |
| <input type="checkbox"/> CM COMMON LAW LIEN | <input type="checkbox"/> ME MALPRACTICE/LEGAL | <input type="checkbox"/> TO TITLE CLEARING |
| <input type="checkbox"/> CS CONVERSION | <input type="checkbox"/> MM MALPRACTICE/MEDICAL | <input type="checkbox"/> TV TRUSTEE/APPT CONVEY TITLE |
| <input type="checkbox"/> CV CRIMINAL CONVERSION | <input type="checkbox"/> MO MALPRACTICE/OTHER | <input type="checkbox"/> TG TRUSTEE/ACCOUNTING |
| <input type="checkbox"/> CH CIVIL RIGHTS/JOB DISCRIMIN | <input type="checkbox"/> OV OTHER CIVIL ACTION | <input type="checkbox"/> UM UNINSURED MOTORIST |
| <input type="checkbox"/> DJ DECLARATORY JUDGMENT | <input type="checkbox"/> PB PROPERTY DAMAGES | <input type="checkbox"/> WM WRIT OF MANDAMUS |
| <input type="checkbox"/> DG RECOVERY OF DAMAGES | <input type="checkbox"/> PG PROPERTY DAMAGES/VEH | <input type="checkbox"/> WR WRIT OF REPLEVIN |
| <input type="checkbox"/> DB DEBT ON JUDGMENT | <input type="checkbox"/> PI PERSONAL INJURY | <input type="checkbox"/> WD WRONGFUL DEATH |
| <input type="checkbox"/> DD DECEPTIVE TRADE PRACTICE | <input type="checkbox"/> PJ PERSONAL INJURY/VEHICLE | |
| <input type="checkbox"/> DN DENIAL OF PROBATE CLAIM | <input type="checkbox"/> PL PRODUCT LIABILITY | |

MISCELLANEOUS PETITION

- | | | |
|--|---|--|
| <input type="checkbox"/> AC ARBITRATION/CONFIRM | <input type="checkbox"/> GJ GRAND JURY INVESTIGATION | <input type="checkbox"/> PX PETITION TO EXPUNGE |
| <input type="checkbox"/> AD ARBITRATION AWARD | <input type="checkbox"/> HC HABEAS CORPUS | <input type="checkbox"/> PY PETITION INVENT (WIRE TAP) |
| <input type="checkbox"/> AS ASSESSMENT OF DAMAGES | <input type="checkbox"/> LN LEVEL COMMUN NOTIFICATION | <input type="checkbox"/> RB ARBITRATION REFERRAL |
| <input type="checkbox"/> CE CONDEMNATION | <input type="checkbox"/> ML MECHANICS LIEN | <input type="checkbox"/> RP RULE 5A PETITION |
| <input type="checkbox"/> CN CONFIRM COMPROMISE | <input type="checkbox"/> MW MATERIAL WITNESS | <input type="checkbox"/> RV RECEIVERSHIP |
| <input type="checkbox"/> CP CONTEMPT | <input type="checkbox"/> OM OTHER MISC PETITION | <input type="checkbox"/> SO SEXUAL VIOLENT PREDATOR |
| <input type="checkbox"/> DI DISCLAIMER | <input type="checkbox"/> OW OUT OF STATE WITNESS | <input type="checkbox"/> TA APPOINTMENT OF TRUSTEE |
| <input type="checkbox"/> DS DISSOLUTION OF CORP | <input type="checkbox"/> PC POST CONVICTION RELIEF | <input type="checkbox"/> TC TITLE CLEARING (TAX TITLE) |
| <input type="checkbox"/> DT DECLINATION OF TRUSTEE | <input type="checkbox"/> PD PETITION TO TAKE DEPO | <input type="checkbox"/> TL FORECLOSURE/TAX LIEN |
| <input type="checkbox"/> EN END PARTNERSHIP | <input type="checkbox"/> PM PETITION FOR IMMUNITY | <input type="checkbox"/> TS TRUSTEE SUCCESSOR |
| <input type="checkbox"/> FC FORFEITURE OF CHARTER | <input type="checkbox"/> PO PETITION FOR CONSTABLE | <input type="checkbox"/> VC VACATE ARBITRATION |
| <input type="checkbox"/> FL FORECLOSURE RIGHTS REDEM | <input type="checkbox"/> PS PERFORM SURGERY | |

PROBATE APPEAL

- | | | |
|--|--|----------------------------------|
| <input type="checkbox"/> GD GUARDIANSHIP | <input type="checkbox"/> OA OTHER PROBATE APPEAL | <input type="checkbox"/> WL WILL |
| <input type="checkbox"/> NC NAME CHANGE | <input type="checkbox"/> TU TRUST | |

DISTRICT COURT APPEAL

☐ DISTRICT COURT APPEAL

TRIAL ☒ YES ☐ NO IF YES: ☒ JURY ☐ NON-JURY

ATTORNEY NAME & REGISTRATION#

PRO SE/NAME: Joseph R. Daigle, #5429

DATE: TODAY



SUPERIOR COURT

____ **Providence County**

Licht Judicial Complex
250 Benefit Street
Providence, Rhode Island 02903

XX **Kent County**

Kent County Judicial Complex
222 Quaker Lane
Warwick, Rhode Island 02886

____ **Newport County**

Murray Judicial Complex
45 Washington Square
Newport, Rhode Island 02840

____ **Washington County**

McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, Rhode Island 02879

CIVIL ACTION FILE No. KC10-0329

RABIAA TABORA

.....
Plaintiff

.....
Lucille Lanna

.....
Defendant

Summons

To the above-named Defendant:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon Joseph R. Daigle
Plaintiff's attorney, whose address is 3288 Post Road, Warwick, RI 02886

.....
an answer to the complaint which is herewith served upon you within 20 days after service of this summons upon you, exclusive of the day of service.

If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

David Berry

CLERK

Dated:

(Seal of the Superior Court)

State of Rhode Island and Providence Plantations

KENT

SC

PROOF OF SERVICE

I hereby certify that on the 4th day of March 2010 I served a copy of this summons and a copy of the complaint received therewith upon Lucille Lanna in the following manner:

By delivering a copy of the summons and complaint to him/her personally.

By leaving a copy of the summons and complaint at his/her dwelling house,

_____ with a person of suitable age and discretion then residing therein. (Address)

By leaving a copy of the summons and complaint at his/her usual place of abode, _____ with a person of suitable age and discretion then residing therein.

By delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process, namely _____

such agent being one designated by statute to receive service, further notice as the statute requires was given as follows:

Sheriff's Fees _____
Travel _____ \$ _____
Service _____ \$ _____
\$ 40-

Michael Cas 121
Deputy Sheriff
Constable

X [Signature]

ATTORNEY FOR PLAINTIFF

Joseph R. Daigle

Lucille Lanna

VS

Rablaa Tasbora

SUPERIOR COURT

SUMMONS

FILE NO. KC10-0329

CIVIL ACTION

NOTE: Returnable to Plaintiff's Attorney forthwith after service. Proof of service to be filed within time during which the person served must respond.

STATE OF RHODE ISLAND



AND PROVIDENCE PLANTATIONS

SUPERIOR COURT

Providence County

Licht Judicial Complex
250 Benefit Street
Providence, Rhode Island 02903

Newport County

Murray Judicial Complex
45 Washington Square
Newport, Rhode Island 02840

xx Kent County

Kent County Judicial Complex
222 Quaker Lane
Warwick, Rhode Island 02886

Washington County

McGrath Judicial Complex
4800 Tower Hill Road
Wakefield, Rhode Island 02879

CIVIL ACTION, FILE No. KC10-0329

RABIAA TABORA

Plaintiff

LUCILLE LANNA, MD, LTD

Defendant

Summons

To the above-named Defendant:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon Joseph R. Daigle
Plaintiff's attorney, whose address is 3288 Post Road, Warwick, RI 02886

an answer to the complaint which is herewith served upon you within 20 days after service of this summons upon you, exclusive of the day of service.

If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

David B. Daigle

CLERK

Dated: _____

(Seal of the Superior Court)

State of Rhode Island and Providence Plantations

Kent, SC

PROOF OF SERVICE

I hereby certify that on the 4th day of March 2010 I served a copy of this summons and a copy of the complaint received therewith upon Lucille Lanna MD in the following manner:

☒ By delivering a copy of the summons and complaint to ~~him~~/her personally.

By leaving a copy of the summons and complaint at his/her dwelling house, _____, with a person of suitable age and discretion then residing therein. (Address)

By leaving a copy of the summons and complaint at his/her usual place of abode, _____, with a person of suitable age and discretion then residing therein.

By delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process, namely _____

such agent being one designated by statute to receive service, further notice as the statute requires was given as follows:

also served plaintiff First Request for production of Documents.

Sheriff's Fees

Travel \$

Service \$

\$ 40-

Michael Cairns 121
Deputy Sheriff
Constable

CIVIL ACTION

KC10-0329

FILE NO.

SUMMONS

SUPERIOR COURT

Rabiah Tabora

VS

Lucille Lanna MD, Ltd

Joseph R. Daigle

ATTORNEY FOR PLAINTIFF

NOTE: Returnable to Plaintiff's Attorney forthwith after service. Proof of service to be filed within time during which the person served must respond.

STATE OF RHODE ISLAND



AND PROVIDENCE PLANTATIONS

SUPERIOR COURT

— **Providence County**
 Licht Judicial Complex
 250 Benefit Street
 Providence, Rhode Island 02903

— **Newport County**
 Murray Judicial Complex
 45 Washington Square
 Newport, Rhode Island 02840

xx **Kent County**
 Kent County Judicial Complex
 222 Quaker Lane
 Warwick, Rhode Island 02886

— **Washington County**
 McGrath Judicial Complex
 4800 Tower Hill Road
 Wakefield, Rhode Island 02879

CIVIL ACTION, FILE No. KC10-0329

RABIAA TABORA

Plaintiff

LEA CARVALHO

Defendant

Summons

To the above-named Defendant:

The above-named Plaintiff has brought an action against you in said Superior Court in the county indicated above. You are hereby summoned and required to serve upon Joseph R. Daigle
 Plaintiff's attorney, whose address is 3288 Post Road, Warwick, RI 02886

an answer to the complaint which is herewith served upon you within 20 days after service of this summons upon you, exclusive of the day of service.

If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a) unless the relief demanded in the complaint is for damage arising out of your ownership, maintenance, operation or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the Plaintiff, or you will thereafter be barred from making such claim in any other action.

CLERK

NOTED FOR FILING

03-11-10 11:00 AM

Dated: _____

(Seal of the Superior Court)

NOTED FOR FILING

State of Rhode Island and Providence Plantations

KENT, SC

PROOF OF SERVICE

I hereby certify that on the 4th day of March 2010 I served a copy of this summons and a copy of the complaint received therewith upon Lea Carvalho in the following manner:

☒ By delivering a copy of the summons and complaint to him/her personally.

By leaving a copy of the summons and complaint at his/her dwelling house, _____, with a person of suitable age and discretion then residing therein. (Address)

By leaving a copy of the summons and complaint at his/her usual place of abode, _____, with a person of suitable age and discretion then residing therein.

By delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process, namely _____, such agent being one designated by statute to receive service, further notice as the statute requires was given as follows:

Sheriff's Fees _____
Travel _____ \$ _____
Service _____ \$ _____

Michael Carles 121
~~Deputy Sheriff~~
Constable

40-
X J. A. Carles

NOTE: Returnable to Plaintiff's Attorney forthwith after service. Proof of service to be filed within time during which the person served must respond.

ATTORNEY FOR PLAINTIFF

Joseph R. Daigle

VS
Lea Carvalho

Rabiah Tabora

SUPERIOR COURT

SUMMONS

CIVIL ACTION
FILE NO. KC10-0329

STATE OF RHODE ISLAND
KENT, SC.

KENT SUPERIOR COURT
FILED

10 MAR 23 PM 2:05

SUPERIOR COURT

EDWARD P. MORRONE, CLERK

RABIAA TABORA

C.A. No. KC 10-0329

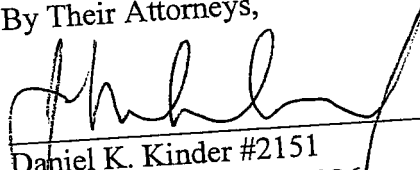
vs.

LUCILLE LANNA, M.D., LTD.
LUCILLE LANNA, ELIZABETH
SABATINO, MALISSA DAPONTE,
LEA CARVALHO

NOTICE OF FILING OF NOTICE OF REMOVAL

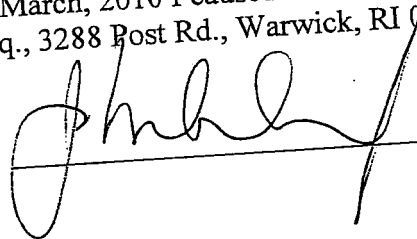
Defendants Lucille Lanna and Lucille Lanna MD, Ltd., have removed this action from the Rhode Island Superior Court to the United States District Court for the District of Rhode Island. Attached hereto is a copy of the Notice of Removal.

By Their Attorneys,


Daniel K. Kinder #2151
John D. Deacon, Jr., #2226
Little Medeiros Kinder Bulman & Whitney PC
72 Pine Street
Providence, RI 02903
(401)272-8080
(401)272-8195 fax

CERTIFICATION

I hereby certify that on the 23 day of March, 2010 I caused to be mailed a copy of the within document to Joseph R. Daigle, Esq., 3288 Post Rd., Warwick, RI 02886.



UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

RABIAA TABORA

vs.

C.A. No.

RECEIVED

LUCILLE LANNA, M.D., LTD.
LUCILLE LANNA, ELIZABETH
SABATINO, MALISSA DAPONTE,
LEA CARVALHO

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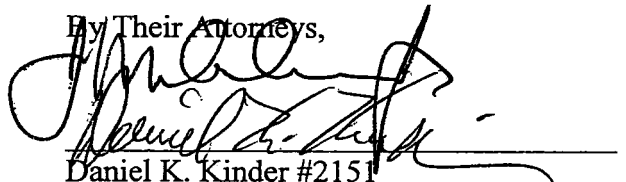
U.S. DISTRICT COURT
DISTRICT OF R.I.

NOTICE OF REMOVAL

Defendants Lucille Lanna and Lucille Lanna MD, Ltd., hereby remove this action from the Rhode Island Superior Court. Attached hereto are copies of the summons and complaint, which were served to these defendants on March 4, 2010.

This action is removable under 28 USCA section 1441 (a)-(c), and 28 USCA section 1331, because the second, third, and fourth counts in the complaint assert claims arising under the laws of the United States.

By Their Attorneys,



Daniel K. Kinder #2151

John D. Deacon, Jr., #2226

Little Medeiros Kinder Bulman & Whitney PC

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